

Mr. SAYLOR. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, I urge the suspension of the rules and the passage of this bill. As the chairman of the full committee stated, I have endeavored to have the cost of this project underwritten by private sources. Those private sources include the American Bankers Association. This association has been very free on occasion to criticize the expenditure of public funds, and I feel as a matter of personal pride to that organization, they should pay for the cost of establishing this shrine.

Alexander Hamilton is the father of our Federal banking system. Through his efforts our bankers today have an excellent foundation upon which to build. It is altogether fitting and proper for the bankers today to honor their founder. It would be an excellent example of public relations. An opportunity rarely found in our modern world.

I sent a letter with such a request to the present president of the American Bankers Association and was turned down by him on the basis that they had no funds available and undertook no such projects.

It is interesting to note that at the same time I sent the letter to the president of the American Bankers Association I sent a copy of that letter to the mutual savings banks of the country and to the savings and loan associations of the United States. Both of the latter organizations were most anxious to express their delight that our committee had seen fit to recognize Alexander Hamilton and to preserve his home, "The Grange," and stated that they would be only too happy to cooperate with the American Bankers Association in raising funds to underwrite this project. I certainly hope that the American Bankers Association will reconsider and raise the funds to underwrite the cost of this very worthy project.

Mr. RUTHERFORD. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Texas.

Mr. RUTHERFORD. I should like to commend the gentleman from Pennsylvania, as did my chairman, the gentleman from Colorado, for supporting this idea and requesting the cooperation of the three financial organizations in recognizing Alexander Hamilton as one of the greatest financial geniuses in this Nation.

I think it is reasonable to assume because of his efforts that while we are authorizing the expenditure, and I might say this is a closed-in appropriation request, that is the \$460,000, that when the time comes for the appropriation, less than this amount will be necessary to be appropriated due to the gentleman's interest and activity in this behalf.

I commend the gentleman for his efforts.

Mr. LINDSAY. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from New York.

Mr. LINDSAY. Mr. Speaker, I would like to commend the gentleman from

Pennsylvania for the work he has put in on this bill and also the chairman of the subcommittee for the attention he has given this extremely important matter. It may not seem of great significance to other parts of the country at this moment, but I imagine that other parts of the country will find it significant as they come to know the importance of Alexander Hamilton's "Grange." The beauty of this building, and the quality of the architecture is worth knowing. Indeed, it is one of the few remaining examples of federalist architecture of the period, and it is one of the best examples of all. One must also appreciate the owner of the building.

It was from this building that Hamilton went out to meet Aaron Burr in that historic fatal encounter. This was the only home he ever owned. If you visit it at the present time, you will see that it is in a state of half collapse. The surrounding neighborhood completely blocks out any view you might have of the structure. It is nothing short of a crime that it has been allowed to deteriorate in this fashion. Therefore I thank the committee for its attention to this matter, for seeing to it that one very important treasure that we have is not allowed to deteriorate any further, for making it a national memorial. As a cosponsor of the legislation and as one who testified before the committee, I strongly support this bill.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Iowa.

Mr. GROSS. Rather than move this building, it is too bad we cannot reincarnate Alexander Hamilton, the financial genius, to tell us how to handle critical problems today of deficit, debt, and inflation—we do not seem to have anybody else who can do it.

(Mr. SAYLOR asked and was given permission to revise and extend his remarks.)

Mr. ROSENTHAL. Mr. Speaker, I would like to say a few words in support of the resolution offered by my colleague from New York, to have the house which was built and occupied by Alexander Hamilton established as a national memorial.

Alexander Hamilton, as we all know, was one of the great patriots during the early days of our country's formation. We New Yorkers are very proud that he came from our State. He served during the Revolutionary War as an officer in the Continental Army, and after the war as the New York delegate to the Constitutional Convention in Philadelphia in 1787; he played a most important part in drafting the Constitution. He was one of the authors of the Federalist papers, which presented a defense of the Constitution, and which certainly facilitated its ratification by the various States. And he climaxed his outstanding career of service to his country by becoming our first Secretary of the Treasury and the proponent of the basic financial policy of the United States.

In 1801 he had his home built in New York, and called it The Grange. At that time, of course, it was a place in the

country surrounded by acres of open land. It was beautifully designed by John McComb, one of the leading architects of the day, and the designer of New York City Hall, and has been called one of the outstanding examples of early 19th century architecture. Its location at the present time—crowded between two buildings, unprotected and inadequately maintained—leaves much to be desired. Much of the furniture which had been in the house when Hamilton lived there has been stolen, and minor alterations in the structure have been made over the years, caused by its forced removal from its original site as a result of the urban development of the great city of New York.

Hamilton unfortunately had a short life, brought to a tragic end as a result of his duel with Aaron Burr, but during his career he certainly contributed much to the founding and establishment of this Republic, and directed his talents and energies toward perfecting the operating and functioning of the new Government to which he was so dedicated.

At the present time there is no memorial established by the Federal Government which pays tribute to Alexander Hamilton. The passage of the resolution before us, calling for the removal of the house to another location—on the campus of the College of the City of New York, on land Hamilton himself once owned—where it would be renovated and restored, would certainly be a worthy gesture on the part of this House in recognizing and perpetuating the memory of one of the founders of our country.

Mr. RYAN of New York. Mr. Speaker, I support the establishment of a national memorial to Alexander Hamilton. The other body, under the leadership of Senator JAVITS, has already passed a bill which would allow the United States to accept title to and preserve the home of Alexander Hamilton as a national monument.

The Hamilton Grange built in 1801 is one of the few remaining structures from the Federal period in New York City. It still contains some of the furniture and other items which belonged to Alexander Hamilton. It is now owned by the American Scenic and Historic Preservation Society, which is inadequately endowed and cannot maintain this historic structure. As Senator JAVITS pointed out, the home is "in a state of terrible disrepair and it would be only a matter of a very short time before it might very well collapse and be irretrievably ruined." Mr. Speaker, the City College of New York has generously offered to make available a site for the grange.

It is surprising that among our Founding Fathers Alexander Hamilton is one of the few who have not had a memorial established in his honor. Officer in the Revolutionary Army, major contributor to the drafting of the Constitution, author of the Federalist Papers and first Secretary of the Treasury, Alexander Hamilton is one of our great patriots, and for the benefit of future generations a suitable memorial should be established in his name.

GENERAL LEAVE TO EXTEND

Mr. RUTHERFORD. Mr. Speaker, will the gentleman yield for a unanimous consent request?

Mr. SAYLOR. I yield to the gentleman from Texas.

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to extend their remarks on this legislation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill, as amended?

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RULES AND REGULATIONS OF FEDERAL COMMUNICATIONS COMMISSION IN COMMON CARRIER AND SAFETY AND SPECIAL FIELDS

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1668) to authorize the composition of forfeitures for certain violations of the rules and regulations of the Federal Communications Commission in the common carrier and safety and special fields, with certain amendments.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title V of the Communications Act of 1934 is amended by adding at the end thereof a new section as follows:

"FORFEITURE IN CASES OF VIOLATIONS OF CERTAIN RULES AND REGULATIONS

"SEC. 510. (a) Where any radio station other than licensed radio stations in the broadcast service or stations governed by the provisions of parts II and III of title III and section 507 of this Act—

"(1) is operated by any person not holding a valid radio operator license or permit of the class prescribed in the rules and regulations of the Commission for the operation of such station;

"(2) fails to identify himself at the times and in the manner prescribed in the rules and regulations of the Commission;

"(3) transmits any false call contrary to regulations of the Commission;

"(4) is operated on a frequency not authorized by the Commission for use by such station;

"(5) transmits unauthorized communications on any frequency designated as a distress or calling frequency in the rules and regulations of the Commission;

"(6) interferes with any distress call or distress communication contrary to the regulations of the Commission;

"(7) fails to attenuate spurious emissions to the extent required by the rules and regulations of the Commission;

"(8) is operated with power in excess of that authorized by the Commission;

"(9) renders a communications service not authorized by the Commission for the particular station;

"(10) is operated with a type of emission not authorized by the Commission;

"(11) is operated with transmitting equipment other than that authorized by the Commission; or

"(12) fails to respond to official communications from the Commission;

the licensee of the station shall, in addition to any other penalty prescribed by law, forfeit to the United States a sum not to exceed \$100. In the case of a violation of clause (2), (3), (5), or (6) of this subsection, the person operating such station shall, in addition to any other penalty prescribed by law, forfeit to the United States a sum not to exceed \$100. The violation of the provisions of each numbered clause of this subsection shall constitute a separate offense: *Provided*, That \$100 shall be the maximum amount of forfeiture liability for which the licensee or person operating such station shall be liable under this section for the violation of the provisions of any one of the numbered clauses of this subsection, irrespective of the number of violations thereof, occurring within ninety days prior to the date the notice of apparent liability is issued or sent as provided in subsection (c) of this section: *And provided further*, That \$500 shall be the maximum amount of forfeiture liability for which the licensee or person operating such station shall be liable under this section for all violations of the provisions of this section, irrespective of the total number thereof, occurring within ninety days prior to the date such notice of apparent liability is issued or sent as provided in subsection (c) of this section.

"(b) The forfeiture liability provided for in this section shall attach only for a willful or repeated violation of the provisions of this section by any licensee or person operating a station.

"(c) No forfeiture liability under this section shall attach after the lapse of ninety days from the date of the violation unless within such time a written notice of apparent liability, setting forth the facts which indicate apparent liability, shall have been issued by the Commission and received by such person, or the Commission has sent him such notice by registered mail or by certified mail at his last known address. The person so notified of apparent liability shall have the opportunity to show cause in writing why he should not be held liable and, upon his request, he shall be afforded an opportunity for a personal interview with an official of the Commission at the field office of the Commission nearest to the person's place of residence."

Sec. 2. Section 504(b) of the Communications Act of 1934 (47 U.S.C. 504(b)) is amended by striking out "sections 503(b) and 507" and inserting in lieu thereof "section 503(b), section 507, and section 510".

Sec. 3. The amendments made by this Act shall take effect on the thirtieth day after the date of its enactment.

The SPEAKER. Is a second demanded?

Mr. SPRINGER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HARRIS. Mr. Speaker, the bill S. 1668 has been a matter before the Congress for several years. It has the recommendation of the Federal Communications Commission. Some time ago when the Commission asked us for the amendment dealing with small fines, objection was raised by certain groups, particularly the forestry or timber industry. They were fearful that their operations would be materially affected, and I think there was some substance to that fear. Over a period of time the difficulty was worked out and that particular question has been resolved. There was an understanding between those groups and the Federal Communications Commission, and the amend-

ment that we present here today includes the understanding that was reached in the consideration of this proposal.

The committee held hearings on the bill, considered it in executive session, and reported it unanimously. There is no objection that I know of on the part of anyone.

The purpose of the legislation is to add a new section to the Communications Act of 1934 so as to grant authority to the Commission to impose monetary forfeitures for violations of the Commission's rules and regulations in common carrier safety and special fields. It would also provide for the remission or mediation by the Commission of such forfeitures if warranted by the circumstances.

Mr. BROWN. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I will be glad to yield to the distinguished gentleman from Ohio.

Mr. BROWN. Would the passage of this bill have any effect on this discussion that has been underway as to the small radio stations, daylight stations, coming on the air before daylight during the winter months?

Mr. HARRIS. No, it has nothing to do with that.

Hearings are underway and we contemplate that they will be finished by tomorrow. That is on the daytime broadcasting bill.

Mr. BROWN. This bill would in no way affect that.

Mr. HARRIS. It would not affect that at all. This bill has to do with certain operations which under present law, should penalties be necessary, perhaps they might be so severe in some instances as to work extreme hardship. The committee report very clearly explains the effects of the bill and its importance. I urge passage of the bill as amended.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 1668, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ISSUANCE OF RADIO OPERATOR LICENSES TO NATIONALS OF THE UNITED STATES

Mr. MOULDER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1589) to amend the Communications Act of 1934 to authorize the issuance of radio operator licenses to nationals of the United States.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 303(1) of the Communications Act of 1934 (48 Stat. 1082) as amended (47 U.S.C. 303(1)), is hereby amended by inserting the words "or nationals" immediately following the word "citizens".

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. MOULDER. Mr. Speaker, this bill was unanimously passed by the Committee on Interstate and Foreign Commerce.

The bill has passed the Senate.

The legislation has been urged by the Department of the Interior so as to give the Commission authority to issue radio operator licenses to foreign nationals engaged in navigation.

The committee held hearings at which representatives of the Department of the Interior and the Federal Communications Commission testified in support of this legislation.

Under the bill the Federal Communications Commission would be empowered to issue radio operator licenses to natives of American Samoa who are nationals of the United States and owe allegiance to it, but to whom full citizenship has not been extended.

The bill is approved by the Department of the Interior and the Federal Communications Commission. It materially affects the fishing industry of Samoa.

Mr. SPRINGER. Mr. Speaker, this bill has been considered by the committee and reported unanimously. I know of no objection, either in the House or from anybody else concerned.

The SPEAKER. The question is on the motion of the gentleman from Missouri that the House suspend the rules and pass the bill S. 1589.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

AMENDING COMMUNICATIONS ACT TO ELIMINATE 30-DAY RESTRICTION ON SPECIAL AND SAFETY SERVICE LEGISLATION

Mr. MOULDER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1371) to amend subsection (e) of section 307 of the Communications Act of 1934, as amended, to permit the Commission to renew a station license in the safety and special radio services more than 30 days prior to expiration of the original license.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 307 of the Communications Act of 1934, as amended (48 Stat. 1064; 47 U.S.C. 307 (e)), is amended by striking out all after "(e)" and adding in lieu thereof the following:

"No renewal of an existing station license in the broadcast or the common carrier services shall be granted more than thirty days prior to the expiration of the original license."

The SPEAKER. Is a second demanded?

Mr. SPRINGER. Mr. Speaker, I demand a second.

Mr. MOULDER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MOULDER. Mr. Speaker, the Committee on Interstate and Foreign Commerce, to which this bill was referred to amend section (e) of section 307 of the Communications Act of 1934, as amended, would permit the Commission to renew a station license in the safety and special radio services more than 30 days prior to expiration of the original license.

This provides authority for the Commission to issue the license prior to the 30-day expiration, not so provided at the present time. It applies only to safety and special radio services. For example, during the fiscal year 1959 there were 10,500 modified licenses issued. Eventually, each of these 10,500 licenses must be processed again on renewal.

The bill as reported would permit the Commission to consider such applications for modification as applications for modification and renewal. The Commission could then issue such modified licenses for a regular license term, thus eliminating most of the duplicate effort that the Commission is now burdened with.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. MOULDER. I yield to the gentleman from Arkansas.

Mr. HARRIS. Mr. Speaker, the distinguished chairman of the subcommittee has done a very commendable and outstanding job on these bills, in the way of allowing hearings and developing them before the subcommittee and getting them reported by the full committee. These are very important bills.

I may say to the gentleman from Missouri probably it might be advisable to comment on the fact that the legislation maintains the present restriction insofar as broadcasting and common carrier licenses are concerned, and to state that it is in this area that the restrictions of 307(e) are more appropriately applied.

Mr. MOULDER. Yes. I thank our outstanding chairman of the Committee on Interstate and Foreign Commerce for his complimentary statement and cooperation. This bill applies to safety and special radio services only. It is a step in the direction of making available to the FCC a flexibility which will permit more efficiency and a reduction of its backlog of cases.

Mr. HARRIS. I think the important thing to keep in mind is that we have here applications, and where they are competitive they must pursue the regular course in the competitive field.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MOULDER. I yield to the gentleman from Iowa.

Mr. GROSS. Does this require any fee or additional fee, if there is a fee charged?

Mr. MOULDER. None whatsoever.

Mr. SPRINGER. Mr. Speaker, this applies only to safety and special licenses and is not applicable to the broadcasting or common carrier licenses insofar as

they are concerned. The present rule is retained for them. In view of the fact there were over 10,000 of these last year, there is no objection, insofar as I know, from anybody, and it seems to me it is in the public interest that this be passed without further ado.

The SPEAKER. The question is on the motion of the gentleman from Missouri [Mr. MOULDER] that the House suspend the rules and pass the bill, S. 1371.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ELIMINATION OF OATH ON CERTAIN FCC DOCUMENTS

Mr. MOULDER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 683) to amend the Communications Act of 1934, as amended, by eliminating the requirement of an oath or affirmation on certain documents filed with the Federal Communications Commission.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 219 of the Communications Act of 1934, as amended (47 U.S.C. 219(a)), is amended by striking out from the first sentence thereof the words "under oath".

SEC. 2. That subsection (b) of section 219 of the Communications Act of 1934, as amended (47 U.S.C. 219(b)), is amended by striking out from the penultimate sentence thereof after the word "Act" the semicolon, adding a period thereafter and striking out the following: "and such periodical or special reports shall be under oath whenever the Commission so requires".

SEC. 3. That subsection (b) of section 308 of the Communications Act of 1934, as amended (47 U.S.C. 308(a)), is amended by striking out from the last sentence thereof the words "under oath or affirmation".

SEC. 4. That subsection (a) of section 319 of the Communications Act of 1934, as amended (47 U.S.C. 319(a)), is amended by striking out from the last sentence thereof the words "under oath or affirmation".

The SPEAKER. Is a second demanded?

Mr. SPRINGER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. MOULDER. Mr. Speaker, this bill or legislation would eliminate duplication and unnecessary voluminous work on the part of the Federal Communications Commission. It would eliminate the necessity of requiring an oath or affirmation to certain papers or documents. For example, where the FCC calls upon an applicant for additional information, and, as the present law stands, an oath is required on every additional piece of paper filed. The committee has been advised by the Department of Justice that the enactment of this legislation would not adversely affect the enforcement activities of that department.

The SPEAKER. The question is on the motion of the gentleman from Mis-

souri [Mr. MOULDER], that the House suspend the rules and pass the bill S. 683.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

TELEVISION TRANSMISSION FACILITIES IN OUR PUBLIC SCHOOLS AND COLLEGES

Mr. HARRIS submitted the following conference report and statement on the bill (S. 205) to expedite the utilization of television transmission facilities in our public schools and colleges, and in adult training programs.

CONFERENCE REPORT (H. REPT. No. 1609)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 205) to expedite the utilization of television transmission facilities in our public schools and colleges, and in adult training programs, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That title III of the Communications Act of 1934 is amended by adding at the end thereof the following new part:

"PART IV—GRANTS FOR EDUCATIONAL TELEVISION BROADCASTING FACILITIES

"Declaration of purpose

"Sec. 390. The purpose of this part is to assist (through matching grants) in the construction of educational television broadcasting facilities.

"Authorization of appropriations

"Sec. 391. There are authorized to be appropriated for the fiscal year ending June 30, 1963, and each of the four succeeding fiscal years such sums, not exceeding \$32,000,000 in the aggregate, as may be necessary to carry out the purposes of section 390. Sums appropriated pursuant to this section shall remain available for payment of grants for projects for which applications, approved under section 392, have been submitted under such section prior to July 1, 1968.

"Grants for construction

"Sec. 392. (a) For each project for the construction of educational television broadcasting facilities there shall be submitted to the Secretary an application for a grant containing such information with respect to such project as the Secretary may by regulation require, including the total cost of such project and the amount of the Federal grant requested for such project, and providing assurance satisfactory to the Secretary—

"(1) that the applicant is (A) an agency or officer responsible for the supervision of public elementary or secondary education or public higher education within that State, or within a political subdivision thereof, (B) the State educational television agency, (C) a college or university deriving its support in whole or in part from tax revenues, or (D) a nonprofit foundation, corporation, or association which is organized primarily to engage in or encourage educational television broadcasting and is eligible to receive a license from the Federal Communications Commission for a noncommercial educational

television broadcasting station pursuant to the rules and regulations of the Commission in effect on April 12, 1962;

"(2) that the operation of such educational television broadcasting facilities will be under the control of the applicant or a person qualified under paragraph (1) to be such an applicant;

"(3) that necessary funds to construct, operate, and maintain such educational television broadcasting facilities will be available when needed; and

"(4) that such television broadcasting facilities will be used only for educational purposes.

"(b) The total amount of grants under this part for the construction of educational television broadcasting facilities to be situated in any State shall not exceed \$1,000,000.

"(c) In order to assure proper coordination of construction of educational television broadcasting facilities within each State which has established a State educational television agency, each applicant for a grant under this section for a project for construction of such facilities in such State, other than such agency, shall notify such agency of each application for such a grant which is submitted by it to the Secretary, and the Secretary shall advise such agency with respect to the disposition of each such application.

"(d) The Secretary shall base his determinations of whether to approve applications for grants under this section and the amount of such grants on criteria set forth in regulations and designed to achieve (1) prompt and effective use of all educational television channels remaining available, (2) equitable geographical distribution of educational television broadcasting facilities throughout the States, and (3) provision of educational television broadcasting facilities which will serve the greatest number of persons and serve them in as many areas as possible, and which are adaptable to the broadest educational uses.

"(e) Upon approving any application under this section with respect to any project, the Secretary shall make a grant to the applicant in the amount determined by him, but not exceeding (1) 50 per centum of the amount which he determines to be the reasonable and necessary cost of such project, plus (2) 25 per centum of the amount which he determines to be the reasonable and necessary cost of any educational television broadcasting facilities owned by the applicant on the date on which it files such application; except that (A) the total amount of any grant made under this section with respect to any project may not exceed 75 per centum of the amount determined by the Secretary to be the reasonable and necessary cost of such project; and (B) not more than 15 per centum of any such grant may be used for the acquisition and installation of microwave equipment, boosters, translators, and repeaters which are to be used to connect two or more broadcasting stations. The Secretary shall pay such amount, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine.

"(f) If, within ten years after completion of any project for construction of educational television broadcasting facilities with respect to which a grant has been made under this section—

"(1) the applicant or other owner of such facilities ceases to be an agency, officer, institution, foundation, corporation, or association described in subsection (a) (1), or

"(2) such facilities cease to be used for educational television purposes (unless the Secretary determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation so to do),

the United States shall be entitled to recover from the applicant or other owner of such facilities the amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States district court for the district in which such facilities are situated) of such facilities, as the amount of the Federal participation bore to the cost of construction of such facilities.

"Records

"Sec. 393. (a) Each recipient of assistance under this part shall keep such records as may be reasonably necessary to enable the Secretary to carry out his functions under this part, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(b) The Secretary and the Comptroller General of the United States, or any of the duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this part.

"Definitions

"Sec. 394. For the purposes of this part—

"(1) The term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

"(2) The term "construction", as applied to educational television broadcasting facilities, means the acquisition and installation of transmission apparatus (including towers, microwave equipment, boosters, translators, repeaters, mobile equipment, and video-recording equipment) necessary for television broadcasting, including apparatus which may incidentally be used for transmitting closed circuit television programs, but does not include the construction or repair of structures to house such apparatus.

"(3) The term "Secretary" means the Secretary of Health, Education, and Welfare.

"(4) The term "State educational television agency" means (A) a board or commission established by State law for the purpose of promoting educational television within a State, (B) a board or commission appointed by the Governor of a State for such purpose if such appointment is not inconsistent with State law, or (C) a State officer or agency responsible for the supervision of public elementary or secondary education or public higher education within the State which has been designated by the Governor to assume responsibility for the promotion of educational television; and, in the case of the District of Columbia, the term "Governor" means the Board of Commissioners of the District of Columbia.

"(5) The term "nonprofit" as applied to any foundation, corporation, or association, means a foundation, corporation, or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

"Provision of assistance by Federal Communications Commission

"Sec. 395. The Federal Communications Commission is authorized to provide such assistance in carrying out the provisions of this part as may be requested by the Secretary. The Secretary shall provide for consultation and close cooperation with the Federal Communications Commission in the administration of his functions under this part which are of interest to or affect the functions of the Commission.